UNITED
NATIONS

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General Assembly

Distr.
GENERAL

A/49/620
2 December 1994
ENGLISH
ORIGINAL: FRENCH

Forty-ninth session
Agenda item 78

# REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE PALESTINIAN PEOPLE AND OTHER ARABS OF THE OCCUPIED TERRITORIES

## Report of the Special Political and Decolonization Committee (Fourth Committee)

Rapporteur: Mr. Dieudonné NDIAYE (Gabon)

## I. INTRODUCTION

1. At its 3rd plenary meeting, on 23 September 1994, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its forty-ninth session the item entitled "Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories" and to allocate it to the Special Political and Decolonization Committee (Fourth Committee).

2. The Fourth Committee considered the item at its 27th to 29th meetings, on 23 and 30 November and 1 December 1994 (see A/C.4/49/SR.27-29).

3. The Fourth Committee had before it the following reports:

(a) Note by the Secretary-General transmitting the twenty-sixth report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (A/49/511);

(b) Note by the Secretary-General transmitting the periodic report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, covering the period from 28 August to 30 November 1993 (A/49/67);

(c) Note by the Secretary-General transmitting the periodic report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, covering the period from 1 December 1993 to 31 March 1994 (A/49/172);

(d) Report of the Secretary-General submitted in pursuance of General Assembly resolution 48/41 A (A/49/598);

(e) Report of the Secretary-General submitted in pursuance of General Assembly resolution 48/41 B (A/49/599);

(f) Report of the Secretary-General submitted in pursuance of General Assembly resolution 48/41 C (A/49/600);

(g) Report of the Secretary-General submitted in pursuance of General Assembly resolution 48/41 D (A/49/601);

(h) Letter dated 29 December 1993 from the Chargé d'affaires a.i. of the Permanent Mission of the United Arab Emirates to the United Nations addressed to the Secretary-General transmitting the Final Communiqué of the fourteenth session of the Supreme Council of the Gulf Cooperation Council, held at Riyadh from 20 to 22 December 1993 (A/49/56-S/26926);

(i) Letter dated 25 June 1994 from the Minister for Foreign Affairs of Egypt addressed to the Secretary-General transmitting the texts of the documents adopted by the Eleventh Ministerial Conference of the Movement of Non-Aligned Countries, held at Cairo from 31 May to 3 June 1994 (A/49/287-S/1994/894 and Corr.1);

(j) Letters dated 29 July, 17 and 19 October and 7 November 1994 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General (A/49/288-S/1994/903, A/49/535, A/49/549-S/1994/1185, A/49/646-S/1994/1261);

(k) Letter dated 28 September 1994 from the Permanent Representative of Pakistan to the United Nations addressed to the Secretary-General transmitting the texts of the documents adopted by the Islamic Conference of Foreign Ministers at its seventh extraordinary session, held at Islamabad from 7 to 9 September 1994 (A/49/448);

(l) Letter dated 8 November 1994 from the Permanent Representative of Egypt to the United Nations addressed to the Secretary-General (A/49/672-S/1994/1299).

4. At the 27th meeting, on 23 November, the representative of Sri Lanka, Chairman of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, introduced the reports of that Committee (A/49/67, A/49/172 and A/49/511).

5. At the 27th and 28th meetings, on 23 and 30 November, the Permanent Observer of Palestine made statements (see A/C.4/49/SR.27 and 28).

## II. CONSIDERATION OF PROPOSALS

### A. Draft resolution A/C.4/49/L.20

6. At the 28th meeting, on 30 November, the representative of Cuba introduced draft resolution A/C.4/49/L.20, which was finally sponsored by Bahrain, Bangladesh, Brunei Darussalam, Cuba, Djibouti, Egypt, Indonesia, Malaysia, the Sudan, Tunisia, the United Arab Emirates and Yemen.

7. At the same meeting, the Committee adopted draft resolution A/C.4/49/L.20 by a recorded vote of 76 to 2, with 54 abstentions (see para. 16, draft resolution A). 1/ The voting was as follows:

In favour: Algeria, Azerbaijan, Bahrain, Bangladesh, Benin, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, Cape Verde, Chile, China, Colombia, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Ecuador, Egypt, Ghana, Guinea, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Panama, Philippines, Qatar, Republic of Korea, Saudi Arabia, Senegal, Sierra Leone, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel, United States of America.

Abstaining: Argentina, Armenia, Australia, Austria, Bahamas, Barbados, Belarus, Belgium, Bolivia, Bulgaria, Canada, Congo, Côte d'Ivoire, Czech Republic, Denmark, Estonia, Fiji, Finland, France, Gabon, Germany, Greece, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Kazakhstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Marshall Islands, Micronesia (Federated States of), Netherlands, New Zealand, Nicaragua, Norway, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Slovakia, Spain, Sweden, the former Yugoslav Republic of

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1/ Statements in explanation of vote were made by the representatives of Australia, Canada, Germany (on behalf of the European Union and Austria, Finland and Sweden), the Islamic Republic of Iran, Iraq, Israel, Peru, the Russian Federation and the United States of America.

Macedonia, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay.

B. Draft resolution A/C.4/49/L.21

8. At the 28th meeting, on 30 November, the representative of Cuba introduced draft resolution A/C.4/49/L.21, which was finally sponsored by Bahrain, Bangladesh, Brunei Darussalam, Cuba, Djibouti, Egypt, Indonesia, Malaysia, the Sudan, Tunisia, the United Arab Emirates and Yemen.

9. At the same meeting, the Committee adopted draft resolution A/C.4/49/L.21 by a recorded vote of 127 to 2, with 5 abstentions (see para. 16, draft resolution B). 1/ The voting was as follows:

In favour: Algeria, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Congo, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, Estonia, Fiji, Finland, France, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel, United States of America.

Abstaining: Côte d'Ivoire, Gabon, Marshall Islands, Micronesia (Federated States of), Russian Federation.

C. Draft resolution A/C.4/49/L.22

10. At the 28th meeting, on 30 November, the representative of Cuba introduced draft resolution A/C.4/49/L.22, which was finally sponsored by Bahrain, Bangladesh, Brunei Darussalam, Cuba, Djibouti, Egypt, Indonesia, Malaysia, the Sudan, Tunisia, the United Arab Emirates and Yemen.

11. In his introductory statement, the representative of Cuba, on behalf of the sponsors, submitted an oral revision to operative paragraph 2, by which the phrase "to achieving comprehensive peace" was replaced with "to a comprehensive settlement".

12. At its 28th meeting, on 30 November, the Committee adopted draft resolution A/C.4/49/L.22, as orally revised, by a recorded vote of 119 to 2, with 13 abstentions (see para. 16, draft resolution C). 1/ The voting was as follows:

In favour: Algeria, Andorra, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, Estonia, Fiji, Finland, France, Germany, Ghana, Greece, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Norway, Oman, Pakistan, Panama, Paraguay, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel, United States of America.

Abstaining: Argentina, Barbados, Congo, Côte d'Ivoire, Gabon, Jamaica, Marshall Islands, Micronesia (Federated States of), Nicaragua, Nigeria, Papua New Guinea, Peru, Russian Federation.

D. Draft resolution A/C.4/49/L.23

13. At the 28th meeting, on 30 November, the representative of Cuba introduced draft resolution A/C.4/49/L.23, which was finally sponsored by Bahrain, Bangladesh, Brunei Darussalam, Cuba, Egypt, Indonesia, Lebanon, Malaysia, the Sudan, the Syrian Arab Republic, Tunisia, the United Arab Emirates and Yemen.

14. At the 29th meeting, on 1 December, the representative of Cuba, on behalf of the sponsors, orally revised the draft resolution by adding the following new tenth preambular paragraph:

> "Welcoming the convening at Madrid of the Peace Conference on the Middle East on the basis of Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973 aimed at the realization of a just, comprehensive and lasting peace and stressing the need for rapid progress in all bilateral negotiations".

15. At the same meeting, the Committee adopted draft resolution A/C.4/49/L.23, as orally revised, by a recorded vote of 108 to 1, with 13 abstentions (see para. 16, draft resolution D). 2/ The voting was as follows:

In favour: Algeria, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cameroon, Canada, Chile, China, Colombia, Cuba, Cyprus, Czech Republic, Denmark, Djibouti, Ecuador, Egypt, Estonia, Ethiopia, Finland, France, Gabon, Germany, Greece, Guinea, Guyana, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Japan, Jordan, Kazakhstan, Kuwait, Lao People's Democratic Republic, Latvia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Senegal, Singapore, Slovakia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Israel.

Abstaining: Argentina, Barbados, Côte d'Ivoire, Fiji, Jamaica, Kenya, Marshall Islands, Micronesia (Federated States of), Papua New

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2/ Statements in explanation of vote were made by the representatives of Germany (on behalf of the European Union and Austria, Finland and Sweden), the Islamic Republic of Iran, Iraq and the Libyan Arab Jamahiriya.

Guinea, Peru, Russian Federation, United States of America, Uruguay.

## III. RECOMMENDATIONS OF THE SPECIAL POLITICAL AND DECOLONIZATION COMMITTEE (FOURTH COMMITTEE)

16. The Special Political and Decolonization Committee (Fourth Committee) recommends to the General Assembly the adoption of the following draft resolutions:

### Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

A

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations,

Guided also by the principles of international humanitarian law, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 3/ as well as international standards of human rights, in particular the Universal Declaration of Human Rights 4/ and the International Covenants on Human Rights, 5/

Recalling its relevant resolutions, including resolution 2443 (XXIII) of 19 December 1968, and relevant resolutions of the Commission on Human Rights,

Recalling also relevant resolutions of the Security Council,

Aware of the uprising (intifadah) of the Palestinian people,

Convinced that occupation itself represents a primary violation of human rights,

Having considered the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other

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3/ United Nations, Treaty Series, vol. 75, No. 973.

4/ Resolution 217 A (III).

5/ Resolution 2200 A (XXI), annex.

Arabs of the Occupied Territories 6/ and the relevant reports of the Secretary-General, 7/

Noting the signing of the Declaration of Principles on Interim Self-Government Arrangements, including its Annexes, and its Agreed Minutes, by the Government of the State of Israel and the Palestine Liberation Organization at Washington, D.C., on 13 September 1993, 8/ as well as the subsequent implementation agreements, including the Agreement on the Gaza Strip and the Jericho Area of 4 May 1994, 9/

1. Commends the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories for its efforts in performing the tasks assigned to it by the General Assembly and for its impartiality;

2. Demands that Israel cooperate with the Special Committee in implementing its mandate;

3. Deplores those policies and practices of Israel which violate the human rights of the Palestinian people and other Arabs of the occupied territories, as reflected in the reports of the Special Committee covering the reporting period; 6/

4. Expresses the hope that, in the light of the recent positive political developments, those policies and practices will be brought to an end immediately;

5. Requests the Special Committee, pending complete termination of the Israeli occupation, to continue to investigate Israeli policies and practices in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967, to consult, as appropriate, with the International Committee of the Red Cross according to its regulations in order to ensure that the welfare and human rights of the peoples of the occupied territories are safeguarded and to report to the Secretary-General as soon as possible and whenever the need arises thereafter;

6. Also requests the Special Committee to submit regularly to the Secretary-General periodic reports on the current situation in the occupied Palestinian territory;

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6/ See A/49/67, A/49/172 and A/49/511.

7/ A/49/598 to A/49/601.

8/ A/48/486-S/26560, annex; see Official Records of the Security Council, Forty-eighth Year, Supplement for October, November and December 1993, document S/26560.

9/ A/49/180-S/1994/727, annex.

7. Further requests the Special Committee to continue to investigate the treatment of prisoners in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

8. Requests the Secretary-General:

(a) To provide all necessary facilities to the Special Committee, including those required for its visits to the occupied territories, so that it may investigate the Israeli policies and practices referred to in the present resolution;

(b) To continue to make available such additional staff as may be necessary to assist the Special Committee in the performance of its tasks;

(c) To circulate regularly to Member States the periodic reports mentioned in paragraph 6 above;

(d) To ensure the widest circulation of the reports of the Special Committee and of information regarding its activities and findings, by all means available, through the Department of Public Information of the Secretariat and, where necessary, to reprint those reports of the Special Committee which are no longer available;

(e) To report to the General Assembly at its fiftieth session on the tasks entrusted to him in the present resolution;

9. Decides to include in the provisional agenda of its fiftieth session the item entitled "Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories".

B

The General Assembly,

Recalling its relevant resolutions,

Bearing in mind the relevant resolutions of the Security Council,

Having considered the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories 6/ and the relevant reports of the Secretary-General, 7/

Considering that the promotion of respect for the obligations arising from the Charter of the United Nations and other instruments and rules of international law is among the basic purposes and principles of the United Nations,

Stressing that Israel, the occupying Power, should comply strictly with its obligations under international law,

1. Reaffirms that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 3/ is applicable to the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

2. Demands that Israel accept the de jure applicability of the Convention in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967, and that it comply scrupulously with the provisions of the Convention;

3. Calls upon all States parties to the Convention, in accordance with article 1 common to the four Geneva Conventions, 10/ to exert all efforts in order to ensure respect for its provisions by Israel, the occupying Power, in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

4. Requests the Secretary-General to report to the General Assembly at its fiftieth session on the implementation of the present resolution.

C

The General Assembly,

Recalling its relevant resolutions and the resolutions of the Commission on Human Rights,

Bearing in mind the relevant resolutions of the Security Council, the most recent of which is resolution 904 (1994) of 18 March 1994,

Having considered the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories 6/ and the reports of the Secretary-General, 7/

Aware of the responsibility of the international community to promote human rights and ensure respect for international law,

Reaffirming the principle of the inadmissibility of the acquisition of territory by force,

Reaffirming also the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 3/ to the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

Welcoming the signing of the Declaration of Principles on Interim Self-Government Arrangements, including its Annexes, and its Agreed Minutes, by the Government of the State of Israel and the Palestine Liberation Organization, at Washington, D.C., on 13 September 1993, 8/ as well as the subsequent

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10/ United Nations, Treaty Series, vol. 75, Nos. 970-973.

implementation agreements, including the Agreement on the Gaza Strip and the Jericho Area, signed at Cairo on 4 May 1994, 9/

Noting the withdrawal of the Israeli army, which took place in the Gaza Strip and the Jericho Area in accordance with the agreements reached between the parties, and the initiation of the Palestinian Authority in those areas,

Concerned about the continued violation of the human rights of the Palestinian people by Israel, the occupying Power, especially the use of collective punishment, closure of areas, annexation and establishment of settlements, and the continued actions by it designed to change the legal status, geographical nature and demographic composition of the occupied Palestinian territory,

Concerned in particular about the dangerous situation resulting from actions taken by the illegal, armed Israeli settlers in the occupied territory, as illustrated by the massacre of Palestinian worshippers by an illegal Israeli settler in Al-Khalil on 25 February 1994,

Convinced of the positive impact of a temporary international or foreign presence in the occupied Palestinian territory for the safety and protection of the Palestinian people,

Expressing appreciation to the countries that participated in the Temporary International Presence in Hebron for their positive contribution,

Convinced of the need for the full implementation of Security Council resolution 904 (1994),

1. Determines that all measures and actions taken by Israel, the occupying Power, in the occupied Palestinian territory, including Jerusalem, in violation of the relevant provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and contrary to the relevant resolutions of the Security Council, are illegal and have no validity, and demands that Israel desist forthwith from taking any such measures or actions;

2. Reaffirms in particular that the Israeli settlements in the occupied Palestinian territory, including Jerusalem, and the other Arab territories occupied by Israel since 1967 are illegal and an obstacle to a comprehensive settlement;

3. Notes with satisfaction the return of a number of deportees to the occupied Palestinian territory, and calls upon Israel to facilitate the return of the remainder;

4. Calls upon Israel, the occupying Power, to accelerate the release of all remaining Palestinians arbitrarily detained or imprisoned, in line with agreements reached;

5. Calls for complete respect by Israel, the occupying Power, of all fundamental freedoms of the Palestinian people, pending the extension of the self-government arrangements to the rest of the West Bank;

6. Requests the Secretary-General to report to the General Assembly at its fiftieth session on the implementation of the present resolution.

D

The General Assembly,

Deeply concerned that the Syrian Golan occupied since 1967 has been under continued Israeli military occupation,

Recalling Security Council resolution 497 (1981) of 17 December 1981,

Recalling also its previous relevant resolutions, the last of which was 48/41 D of 10 December 1993,

Having considered the report of the Secretary-General of 31 October 1994, 11/

Recalling its previous relevant resolutions in which, inter alia, it called upon Israel to put an end to its occupation of the Arab territories,

Reaffirming once more the illegality of the decision of 14 December 1981 taken by Israel to impose its laws, jurisdiction and administration on the occupied Syrian Golan, which has resulted in the effective annexation of that territory,

Reaffirming that the acquisition of territory by force is inadmissible under the Charter of the United Nations,

Reaffirming also the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 3/ to the occupied Syrian Golan,

Bearing in mind Security Council resolution 237 (1967) of 14 June 1967,

Welcoming the convening at Madrid of the Peace Conference on the Middle East on the basis of Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973 aimed at the realization of a just, comprehensive and lasting peace and stressing the need for rapid progress in all bilateral negotiations,

1. Calls upon Israel, the occupying Power, to comply with the relevant resolutions on the occupied Syrian Golan, and in particular Security Council resolution 497 (1981), in which the Council, inter alia, decided that the Israeli decision to impose its laws, jurisdiction and administration on the

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11/ A/49/601.

occupied Syrian Golan was null and void and without international legal effect, and demanded that Israel, the occupying Power, should rescind forthwith its decisions;

2. Also calls upon Israel to desist from changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Golan and in particular to desist from the establishment of settlements;

3. Determines that all legislative and administrative measures and actions taken or to be taken by Israel, the occupying Power, that purport to alter the character and legal status of the occupied Syrian Golan are null and void, constitute a flagrant violation of international law and of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 3/ and have no legal effect;

4. Calls upon Israel to desist from imposing Israeli citizenship and Israeli identity cards on the Syrian citizens in the occupied Syrian Golan, and calls upon it to desist from its repressive measures against the population of the occupied Syrian Golan;

5. Deplores the violations by Israel of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

6. Calls once again upon Member States not to recognize any of the legislative or administrative measures and actions referred to above;

7. Requests the Secretary-General to report to the General Assembly at its fiftieth session on the implementation of the present resolution.

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